

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BILL LIETZKE,

Plaintiff,

Case No. 18-cv-11498

v.

UNITED STATES DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

CITY OF BIRMINGHAM, ET AL.,

Defendants.

**ORDER TRANSFERRING CASE TO THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF ALABAMA**

On May 11, 2018, Plaintiff Bill Lietzke filed the instant action alleging violations of the First, Second, Third, Fourth, and Fifth Amendments. Dkt. No. 1, p. 2 (Pg. ID 2). This district is not the proper venue for Lietzke's claims. Therefore, the Court will transfer this matter to the United States District Court for the Northern District of Alabama.

Venue is proper under the following circumstances, *inter alia*. First, in "a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located." 28 U.S.C. § 1391(b)(1). A corporate defendant "shall be deemed to reside, if a defendant, in any judicial district in which such defendant is subject to the court's personal jurisdiction with respect to the civil action in question." *Id.* at § 1391(c)(2). Second, in "a judicial district in which a substantial

part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated.” *Id.* at § 1391(b)(2). Where a case is filed in the wrong venue, a district court “shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.” *Id.* at § 1406(a).

Plaintiff asserts that on or about April 20, 2018, in Birmingham, Alabama, he was unlawfully detained by the Defendant City of Birmingham, Alabama, through agents, City of Birmingham Greyhound Lines, Inc. employees. Dkt. No. 1, p. 1 (Pg. ID 1). The events giving rise to this claim occurred in Birmingham, Alabama. *Id.* at pg. 1, 2 (Pg. ID 1, 2). Thus, Plaintiff has not alleged facts upon which the Court could reasonably infer that venue is proper in the Eastern District of Michigan.

Accordingly, **IT IS HEREBY ORDERED** that this case is to be **TRANSFERRED** to the United States District Court for the Northern District of Alabama.

SO ORDERED.

Dated: May 22, 2018

s/Gershwin A. Drain
HON. GERSHWIN A. DRAIN
United States District Court Judge